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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

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7 MERCEDES ROJAS,

8 Plaintiff(s),

Case No. 2:18-CV-538 JCM (NJK)

ORDER

9 v.

10 UNITED STATES OF AMERICA,

11 Defendant(s).

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13 Presently before the court is defendants United States Department of Homeland Security
14 (“DOHS”) and Transportation Security Administration’s (“TSA”) motion to dismiss. (ECF No.
15 4). Plaintiff Mercedes Rojas filed a response. (ECF No. 5). DOHS and TSA did not file a reply
16 and the time to do so has passed.

17 Also before the court is defendant United States’ motion to stay. (ECF No. 16).

18 On March 23, 2018, Rojas initiated this action, naming DOHS, TSA, and the United
19 States as defendants. (ECF No. 1). On June 18, 2018, DOHS and TSA file a motion to dismiss
20 for lack of subject matter jurisdiction and failure to state a claim. (ECF No. 4). On July 10,
21 2018, Rojas filed an amended complaint naming only the United States as a defendant. (ECF
22 No. 6). Accordingly, the court will deny as moot DOHS and TSA’s motion to dismiss.


23 The United States’ motion to stay, in which the United States request that the court stay
24 proceedings until Congress restores appropriations, is also moot because Congress has already
25 restored appropriations.

26 Accordingly,

27 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that DOHS and TSA’s
28 motion to dismiss (ECF No. 4) be, and the same hereby is, DENIED as moot.

1 IT IS FURTHER ORDERED that the United States' motion to stay (ECF No. 16) be, and
2 the same hereby is, DENIED as moot.

3 DATED February 6, 2019.

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5 UNITED STATES DISTRICT JUDGE
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